



LINNA CHEN
Partner

345 Park Avenue
New York, NY 10154

Direct 212.407.4953
Main 212.407.4000
Fax 212.412.9054
lchen@loeb.com

Via ECF

August 5, 2020

MEMO ENDORSED

Honorable Katherine Polk Failla
United States District Court
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

Re: Roberts v. BroadwayHD LLC, et al., No. 1:19-cv-09200 (KPF)(RWL)

Dear Judge Failla:

We represent defendant Sony/ATV Music Publishing LLC ("SATV") in the above-captioned action. We write on behalf of SATV, as well as defendants Leiber Stoller Productions, Inc., Mike Stoller (sued as Michael Stoller) and the Estate of Jerome Leiber (sued under an incorrect name) (collectively, the "L&S Defendants"), with the consent of counsel for the L&S Defendants, as he is without power after yesterday's storm.

Pursuant to Your Honor's ECF Order, dated July 9, 2020, the deadlines for the L&S Defendants' motions to dismiss were adjourned in order to facilitate settlement discussions. While those settlement discussions have progressed to some extent, and may continue, it does not appear that the parties will be able to resolve the Plaintiff's claims at this time. Accordingly, the L&S Defendants now respectfully request that the deadlines for their motions to dismiss be adjourned to the following dates:

- Opening Brief to be filed on or before August 21, 2020;
- Opposition Brief to be filed on or before September 18, 2020;
- Reply Brief to be filed on or before October 2, 2020.

SATV had written separately yesterday requesting an adjournment, which Your Honor granted, to dates later than those requested by the L&S Defendants. However, given the similar positions of SATV and the L&S Defendants, and in the interests of judicial efficiency, SATV respectfully requests that its deadlines be reset so that its and the L&S Defendants' motions can be addressed in tandem. Plaintiff consents to this request.



Honorable Katherine Polk Failla
August 5, 2020
Page 2

This will be SATV and L&S Defendants' final request for the adjournment of these briefing deadlines unless settlement talks resume in the interim in good faith. The requested adjournment should not necessitate the adjournment of any other deadlines in this action.

Respectfully submitted,

/s/ Linna Chen
Linna Chen
Partner

cc: Counsel for all Parties (via ECF)

Application GRANTED. The Court adopts the proposed deadlines for both SATV's and the L&S Defendants' motions.

Dated: August 5, 2020
New York, New York

SO ORDERED.

A handwritten signature in blue ink that reads 'Katherine Polk Failla'.

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE